

Moved by Burgoyne

Seconded by Hagedorn

IN THE SENATE
SENATE AMENDMENT TO S.B. NO. 1033

AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 36 through 39, and insert:
"authorized purposes. The bureau shall submit such fingerprints to the federal bureau of investigation central fingerprint database for completion of a criminal background check and report. Once complete, the federal bureau of investigation shall provide the criminal background check report to the bureau, and the bureau shall transmit the report to the appropriate authorized agency or entity.

(2) The bureau shall retain fingerprints submitted pursuant to subsection (1) of this section in the state central fingerprint database following the initial criminal background check for purposes of notification to those agencies or entities authorized by law and choosing to participate in the rap back service and for criminal justice purposes.

(a) Each agency or entity receiving a notification under the rap back service shall provide a copy of any notification to the individual who is the subject of the notification prior to taking any adverse action against such individual.

(b) An individual fingerprinted for a noncriminal justice purpose shall have his fingerprints expunged by the bureau:

(i) When he is no longer in a position or no longer holds a license subject to criminal background checks and notifications in the rap back service; or

(ii) Upon any withdrawal of the agency or entity from participation in the rap back service.

(c) The bureau shall provide notice to an individual fingerprinted for a noncriminal justice purpose of his right to expunge when he is initially fingerprinted and when the rap back service is no longer applicable to him for any reason.

(d) No fee shall be charged to an individual for expungement of his fingerprints."

and in line 40, delete "2" and insert: "23".

On page 3, in line 17, delete "3" and insert: "34"; in line 19, delete "4" and insert: "45"; in line 25, delete "5" and insert: "56"; in line 29, delete "6" and insert: "67"; in line 34, delete "7" and insert: "78"; and following line 36, insert:

"(9) For purposes of this section, "criminal justice purpose" means biometric matching to arrest fingerprints, to unidentified or missing person fingerprints or to latent or unknown fingerprints from criminal or suspected events."

CORRECTION TO TITLE

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2 On page 1, in line 5, following "STANCES" insert: ", TO PROVIDE NOTICE
3 TO CERTAIN INDIVIDUALS WHO ARE FINGERPRINTED, TO PROVIDE THAT NO FEE SHALL BE
4 CHARGED FOR EXPUNGEMENT OF FINGERPRINTS AND TO DEFINE A TERM".